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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,326	12/04/2000	Daniel Schreiber	21939-05596	8195

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PALO ALTO, CA 94304-1043

EXAMINER
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WU, ALLEN S

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/730,326

Applicant(s)

SCHREIBER ET AL.

Examiner

Allen S. Wu

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 09/313067.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes, Jr. et al (hereinafter Hayes), US Patent 6,339,826.

As per claims 1 and 4, Hayes discloses protecting files distributed over a network (see for example; applets, abstract) comprising:

displaying a site map of folders and files in a server computer file system (see for example; fig 4 and col 21 ln 33-40);

generating protection status information (permit user access) in response to selection by a user of at least one of the files in the site map (see for example; col 21 ln 36-40); and

Sending the protection status information to a server computer (see for example; col 7 ln 65-col 8 ln 5; server uses such information and thus needs the status information to be sent).

As per claims 2 and 5, Hayes discloses the claimed limitations as described above (see claim 1) and further discloses displaying the site map

together with a corresponding status for each file in the site map (see for example; figs 24 and col 21 ln 33-45), and wherein the method further comprises the step of modifying protection status of at least one of the files (see for example; col 21 ln 36-40), and wherein said sending sends modified protection status information to the server computer (see for example; ; col 7 ln 65-col 8 ln 5; server uses such information and thus needs the status information to be sent).

As per claims 3 and 6, Hayes discloses the claimed limitations as described above (see claim 1) and further discloses recording protection status information in a protection status database (see for example; Database 212 fig 2 and col 9 ln 6-12).

3. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Montague et al (hereinafter Montague), US Patent 5,761,669.

As per claims 1 and 4, Montague discloses protecting files distributed over a network (see for example; entities, abstract) comprising:

Displaying a site map of folders and files in a server computer file system (see for example; fig 3 and col 8 ln 34-40);

Generating protection status information (access control lists) in response to selection by a user of at least one of the files in the site map (see for example; col 8 ln 38-55); and

Sending the protection status information to a server computer (see for example; col 9 ln 23-45).

As per claims 2 and 5, Montague discloses the claimed limitations as described above (see claim 1) and further discloses displaying the site map together with a corresponding status for each file in the site map (see for example; figs 5-6), and wherein the method further comprises the step of modifying protection status of at least one of the files (see for example; col 3 ln 26-35 and change access to an entity, col 3 ln 60-65), and wherein said sending sends modified protection status information to the server computer (see for example; col 14 ln 3-18).

As per claims 3 and 6, Montague discloses the claimed limitations as described above (see claim 1) and further discloses recording protection status information in a protection status database (see for example; col 14 ln 54-57).

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

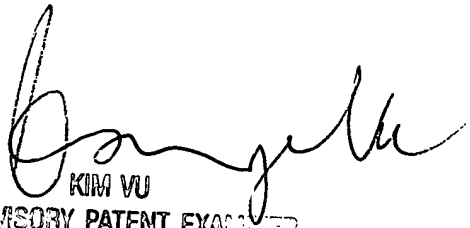
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen S. Wu whose telephone number is 703-305-0708. The examiner can normally be reached on Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Allen Wu  
Patent Examiner  
Art Unit 2135



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100